

REMARKS

Claims 33-54 are now pending. Claims 1-32 are canceled. Applicant requests reconsideration and reexamination of the pending claims.

Claims 33-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frungel (U.S. Patent No. 3,529,208).

In rejecting the claims, the Examiner writes in part in the Office Action:

Upon reaching the required pressure, which is controlled by the [] manometer 34, the valve 31 is closed again. It is also possible to make a correction in case the gas pressure has risen to too high a level by opening the release valve 35 *removing the first gas*. The valve 42 is then opened to fill the discharge lamps 1b and 1c with krypton under pressure *while removing the first gas for example helium, a second and different gas krypton can be simultaneously enter the conduit by opening valve 42. . .* (column 2, line 67 to column 3, line 15). (Office Action, page 4) (emphasis in original).

Frungel . . . discloses the adjusting of the gas pressure within the lamp and thus it is feasible for different type of gas to be substantially simultaneously flowing into [] lamp while the gas is released from the lamp in order to obtain the desired pressure. (Office Action, page 6) (emphasis added).

However, Frungel discloses the following:

The gas pressure in the discharge space can for instance be varied as follows. After first draining the gas from a previous operation, the valves 35 and 45 are closed. If it is intended to fill the lamps 1a and 1d with, for instance, high pressure helium gas and the lamps 1b and 1c with high pressure krypton, one proceeds as follows: Only the valve 31 of the series of valves 31, 32, 33, 41, 42 and 43 is opened. Thus helium under pressure can enter the conduit 8e from the pressurized gas container 11. Upon reaching the required pressure, which is controlled by the manometer 34, the valve 31 is closed again. It is also possible to make a correction in case the gas pressure has risen to too high a level by opening the release valve 35. The valve 42 is then opened to fill the discharge lamps 1b and 1c with krypton under pressure. The krypton gas can thus enter into conduit 8f from the pressure container 12. (Frungel, col.2, line 67 – col.3, line 12) (emphasis added).

Thus, Frungel discloses that a first gas from “a previous operation” is first drained from the lamps, and then substitute gas is provided. If the “gas pressure has risen to too high a level” the release valve 35 may be opened to release the substitute gas only since the first gas has been previously drained. Frungel does not disclose or suggest simultaneous exchange of the first gas and the substitute gas.

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Furthermore, Frungel discloses that two separate conduits 8e and 8f are used to flow helium and krypton, respectively, into lamps 1a, 1d and lamps 1b, 1c, respectively. Frungel does not disclose or suggest that different types of gas are substantially simultaneously flowing into while being released from the lamp.

Applicant has reviewed the Frungel reference and could find no teaching or suggestion therein, which anticipates or renders the currently pending claims anticipated or obvious. For example, Frungel does not teach or suggest "removing a first gas from between said first and second electrodes out of the light source through the outlet valve, and simultaneously providing a second gas through the inlet valve into between said first and second electrodes, said first gas being different from said second gas" as set forth in Claim 33.

Moreover, Frungel does not teach or suggest "pumping a first gas initially located within the light source out of the light source while pumping a second gas into the light source, said second gas being different from said first gas" as set forth in Claim 45.

Claims 34-44 depend from Claim 33 and are therefore allowable for at least the same reasons as Claim 33. Claims 46-54 depend from Claim 45 and are therefore allowable for at least the same reasons as claim 45.

Accordingly, Applicant submits that Claims 33-54 are in condition for allowance.

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CONCLUSION

For the above reasons, pending Claims 33-54 are now in condition for allowance and allowance of the application is hereby solicited. If the Examiner has any questions or concerns, the Examiner is hereby requested to telephone Applicant's Attorney at (949) 752-7040.

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

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Respectfully submitted,

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